

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOSHUA TAPER,

Plaintiff,

v.

JENNIFER BRANCH, et al.,

Defendants.

Case No. 1:23-CV-806

Judge Michael R. Barrett

ORDER

This matter is before the Court on the Magistrate Judge's Reports & Recommendations ("R&Rs") of June 6, 2024. (Docs. 52, 54, 55). Proper notice has been afforded to the parties under 28 U.S.C. § 636(b)(1)(C), including notice to Plaintiff Joshua Taper that he could forfeit rights on appeal if he failed to file objections to the R&Rs in a timely manner. *See United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections have been filed, and the time to do so has expired.¹

Accordingly, the R&Rs are hereby **ADOPTED**. Consistent with the recommendations of the Magistrate Judge:

- I. Taper's motions to amend, (Docs. 49, 51), are **DENIED**;
- II. Taper's challenge to his 2015 Hamilton County criminal conviction and his claims under 42 U.S.C. § 1983 (Claims 1; 2-6; 7(c)-(e); 8(c); 9-11; 12(b)), are **DISMISSED with prejudice**;

¹ Following the issuance of the R&Rs—and contrary to the direct instructions of the Magistrate Judge—Taper again sought to amend his complaint. However, Taper has failed to file anything that could be reasonably construed as an objection.

- III. The Court **DECLINES** to exercise supplemental jurisdiction over Taper's state-law kidnapping claims (Claims 7(a); 8(a));
- IV. The remaining claims in Taper's second amended complaint (Claims 7(b); 8(b); 12(a), (c); 13-24) are **SEVERED** and **DISMISSED without prejudice**;
- V. Taper's motion to appoint counsel, (Doc. 18), and motion to amend exhibits, (Doc. 41), are **DENIED as moot**;
- VI. Taper's motion to add a new defendant, (Doc. 43), is **DENIED as futile**;
- VII. Taper's motions for a preliminary injunction, (Docs. 45, 46), are **DENIED**.

Further, the Court **CERTIFIES** pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this order would not be taken in good faith, and therefore **DENIES** leave to appeal in forma pauperis. See Fed. R. App. P. 24(a); *Kincade v. Sparkman*, 117 F.3d 949, 952 (6th Cir. 1997).

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett
United States District Judge